

**COMMONWEALTH OF VIRGINIA  
Department of Environmental Quality  
Southwest Regional Office**

**STATEMENT OF LEGAL AND FACTUAL BASIS**

Wellborn Cabinet, Inc.  
Atkins, Smyth County, Virginia  
Permit No. SRO10207

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, Wellborn Cabinet, Inc. has applied for a Title V Operating Permit for its Atkins, Virginia – Plant 1 facility. The Department has reviewed the application and has prepared a Title V Operating Permit.

Engineer/Permit Contact:\_\_\_\_\_Date:\_\_\_\_\_

Air Permit Manager:\_\_\_\_\_Date:\_\_\_\_\_

Regional Director:\_\_\_\_\_Date:\_\_\_\_\_

## **FACILITY INFORMATION**

### Permittee

Wellborn Cabinet, Inc.  
P.O. Box 1210  
Ashland, Alabama 36251

### Facility

Wellborn Cabinet, Inc. – Plant 1  
5781 Atkins Tank Road

County-Plant Identification Number: 51- 173-00036

## **SOURCE DESCRIPTION**

NAICS Code: 337122 – Non-upholstered Wood Household Furniture Manufacturing

The company used to manufacture chairs and other furniture pieces. Currently the facility is used to dry lumber. The operation includes two wood-fired boilers used to provide steam for kiln drying rough lumber. The facility is equipped to process the dried lumber using various woodworking equipment, such as saws, sanders, lathes, planers, etc., to fabricate furniture pieces. The furniture pieces would then be assembled and finished in spray booths to provide protective coatings. The finished product is then packaged for shipment. Finishing operations have presently been discontinued at the facility.

The facility is a Title V major source of VOC, PM10, and hazardous air pollutants. This source is located in an attainment area for all pollutants, and is a PSD minor source. The facility currently does not operate under a NSR permit.

## **COMPLIANCE STATUS**

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time.

## EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION

The emissions units at this facility consist of the following:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device Description (PCD)	PCD ID	Pollutant Controlled	Applicable Permit Date
<b>Fuel Burning Equipment</b>							
ES-1	EP-1	Farrar and Trefts wood-fired boiler Model No. 2191 – installed 1947	14.5 million Btu/hr	Zurn Multicyclone	CD-6	PM	-
ES-2	EP-2	Walsh and Weidner wood-fired boiler Model No. 1784 – installed 1960	16.5 million Btu/hr	Zurn Multicyclone	CD-7	PM	-
<b>Finishing Operations</b>							
ES-3	EP-3 – EP-11	9 spray booths	Varies	baffles on six booths	BF-1 – BF-6	PM	-
<b>Wood Drying</b>							
ES-4	--	Lumber Dry Kilns	385,000 bd-ft/two weeks	-	-	-	-
<b>Woodworking</b>							
ES-5	EP-12 - EP-15	Various saws, sanders, shapers.	Varies	Four Carter Day baghouses	CD-1 - CD-4	PM	-

## EMISSIONS INVENTORY

Emissions are summarized in the following tables.

2006 Actual Emissions

	2006 Criteria Pollutant Emission in Tons/Yr				
Emission Unit	VOC	CO	SO <sub>2</sub>	PM <sub>10</sub>	NO <sub>x</sub>
ES-1 & ES-2	0.20	6.89	0.28	0.81	5.61
ES-3	0				
ES-4	0.14				
ES-5					
Total	0.34	6.89	0.28	0.81	5.61

2006 Facility Hazardous Air Pollutant Emissions

Pollutant	2006 Hazardous Air Pollutant Emission in Tons/Yr
Hydrochloric Acid (gas)	0.22

## EMISSION UNIT APPLICABLE REQUIREMENTS – Boilers ES-1 & ES-2

### Limitations

The two boilers were installed prior to 1972. Therefore, certain provisions of 9 VAC 5 Chapter 40 are considered applicable requirements. The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-40-900, Standard for Particulate Matter (PM) - These units are subject to emission standards outlined in 9 VAC 5-40, Article 8. Since the boilers were installed prior to 1979, by definition, they are together considered a fuel burning equipment installation. According to 9 VAC 5-40-900 A.1.b, an installation may not emit more particulate matter than can be calculated by the formula:

$$E = 1.0906 H^{-0.2594}$$

where E is particulate emissions in lb/MMBtu and H is the total heat rating of the installation (31 MMBtu/hr). The resulting particulate matter emission ratio is,

$$E = 1.0906(31)^{-0.2594} \text{ lb/MMBtu} = 0.45 \text{ lb/MMBtu}$$

9 VAC 5-40-930, Standard for Sulfur Dioxide - Sulfur dioxide emissions from installations are limited according to the formula:

$$S = 2.64 K \quad \text{where, } S \text{ is lb/hr of SO}_2, \text{ and} \\ K \text{ is the heat capacity of the unit (MMBtu/hr).}$$

**ES-1 & ES-2**             $(2.64)(31.0) = 81.8 \text{ lb/hr SO}_2$

9 VAC 5-40-940, Standard for Visible Emissions - Opacity is limited to 20%, except for one 6-minute period within one hour not to exceed 60%.

9 VAC 5-60-100, EPA National Emission Standards for Hazardous Air Pollutants of Source Categories – Industrial, Commercial, and Institutional Boilers and Process Heaters (MACT DDDDD) – 40 CFR 63.7480 – 7575. This regulation was vacated by the US Circuit Court of Appeals on July 30, 2007. At the present time, no applicable requirements have been identified through §112(j) of the Clean Air Act.

### Monitoring

The monitoring and recordkeeping requirements of 9 VAC 5 Chapter 40 have been modified to meet Part 70 requirements.

Compliance with the emission limits can be demonstrated by computations involving acceptable emission factors as shown below:

$$E = F \times H \quad , \text{ where}$$

E = Emission rate (lb/time period)

F = Emission factors from AP-42, Tables 1.6-1 – 1.6-2 (9/03)

PM = 0.3 lb/MMBtu (accounting for control by multiclone)

SO<sub>2</sub> = 0.025 lb/MMBtu of woodwaste

H = Input Heat Capacity (MMBtu/hr)

The calculated emission rates can be compared to the maximum allowable emission rate given by:

**ES-1**             $(14.5 \text{ MMBtu/hr})(0.45 \text{ lb/MMBtu}) = 6.5 \text{ lb/hr PM}$

**ES-2**             $(16.5 \text{ MMBtu/hr})(0.45 \text{ lb/MMBtu}) = 7.4 \text{ lb/hr PM}$

Compliance will be confirmed if the calculated emission rate is less than the maximum allowable emission rate. Maximum expected emissions are given by:

**ES-1**  
PM             $(14.5 \text{ MMBtu/hr})(0.3 \text{ lb/MMBtu}) = 4.35 \text{ lb/hr}$

**ES-2**

PM  $(16.5 \text{ MMBtu/hr})(0.3 \text{ lb/MMBtu}) = 4.95 \text{ lb/hr}$

**ES-1 & ES-2**

SO<sub>2</sub>  $(31 \text{ MMBtu/hr})(0.025 \text{ lb/MMBtu}) = 0.78 \text{ lb/hr}$

These values are below allowable emissions. Therefore, as long as the boilers are operated properly, compliance with the emission standards is expected. Violation of the particulate matter emission standards would be extremely unlikely under normal operating conditions. Compliance has traditionally been determined using opacity as an indicator of particulate matter emissions. Compliance with the particulate matter standards may be determined by periodic visible emissions checks on the boiler exhausts as explained below, and annual multiclone inspections. Compliance with the SO<sub>2</sub> emission standards will be insured by virtue of the low sulfur content of typical woodwaste. No other monitoring will be required. The permit identifies wood as the approved fuel.

The permit contains a requirement to perform weekly visible emission observations on the boiler stacks. If visible emissions are present at a level above 10% opacity, a six-minute visible emission evaluation (VEE) must be performed according to 40 CFR 60, Appendix A, Method 9. If during the six minutes, the average opacity exceeds 20%, the company must then take corrective action. If corrective action fails to produce opacity less than 20%, an 18-minute VEE using 40 CFR 60, Method 9 is required to determine compliance. Instances of excess emissions will be recorded and reported. The observer must be Method 9 certified. This will satisfy the periodic monitoring requirement for the visible emission limitation included in the permit.

Both boilers have been fitted with multicyclones for particulate matter control. Such control devices, if properly operated and maintained, should help insure compliance with the opacity requirements. An annual multiclone inspection will be required to insure structural integrity.

**Compliance Assurance Monitoring (CAM) Applicability**

The company did not identify these units as being subject to CAM requirements. The company ruled out this possibility on the basis that since the units are affected sources subject to MACT DDDDD, they are excluded from further regulation under CAM. According to 40 CFR 64.2(b)(1)(i), units subject to standards proposed after November 15, 1992 pursuant to sections 111 and 112 of the Clean Air Act are exempt from CAM requirements.

Because MACT DDDDD was vacated on July 30, 2007 by the US Circuit Court of Appeals, there is some question as to whether this exemption now applies. Whether this exemption applies or not, the units may be assessed to determine if the potential pre-controlled PM<sub>10</sub> emissions from each unit are of a major quantity. Using Table 1.6-1 of AP42 (9/03), the PM<sub>10</sub> emission factor for a unit burning dry wood with no control is 0.36 lb/MMBtu. Therefore,

**ES-1**

PM<sub>10</sub>  $(14.5 \text{ MMBtu/hr})(0.36 \text{ lb/MMBtu})(8760 \text{ hr/yr})(1 \text{ T}/2000 \text{ lb}) = 22.9 \text{ T/yr}$

**ES-2**

PM10  $(16.5 \text{ MMBtu/hr})(0.36 \text{ lb/MMBtu})(8760 \text{ hr/yr})(1 \text{ T}/2000 \text{ lb}) = 26.0 \text{ T/yr}$

Because potential PM10 emissions are less than 100 T/yr, neither unit is subject to CAM.

**Recordkeeping**

The permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include results of visible emissions checks as determined on a weekly basis and annual multicloning inspection results.

**Testing**

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA has authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

**Reporting**

There are no specific reporting requirements for the two boilers.

**Streamlined Requirements**

The company did not propose any streamlining regarding the boilers.

**EMISSION UNIT APPLICABLE REQUIREMENTS – Finishing Operations (ES-3)**

**Limitations**

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-60-100, EPA National Emission Standards for Hazardous Air Pollutants for Source Categories - Wood Furniture Manufacturing Operations (MACT JJ) - 40 CFR 63.800 - 819.

The company applies compliant coatings, although this operation ceased in 2000. On September 1, 2005, the company obtained EPA approval to withhold MACT reports as long as the finishing operations are idle.

40 CFR 63 Subpart A, General Provisions also applies to the source. Any applicable limitations from the general provisions are also included in the permit.

9 VAC 5-40-80, Standard for Visible Emissions - 20% opacity except for one 6-minute period not to exceed 60%.

9 VAC 5-40-260, Standard for Particulate Matter - Process Weight Rate Table

Particulate matter emissions from general processes are not to exceed corresponding quantities given by the formula,

$$E = 4.10 P^{0.67}$$

where P is the process weight rate in tons per hour.

This standard applies to each emission unit individually.

### Monitoring

The monitoring and recordkeeping requirements of 9 VAC 5 Chapter 40 have been modified to meet Part 70 requirements. The monitoring requirements of the Wood Furniture Manufacturing MACT (40 CFR 63, Subpart JJ) are included in the permit. The Wood Furniture MACT contains requirements for continuous compliance, including monthly and/or daily recordkeeping depending on the method of compliance. These requirements have been incorporated in the permit. The Wood Furniture MACT contains adequate monitoring to meet the periodic monitoring requirements, so no additional monitoring has been incorporated into the Title V permit. The company has elected to demonstrate compliance by using only those coatings that meet MACT requirements. CAM does not apply to this operation.

Particulate matter emission rates are not expected to approach the above-mentioned standard since the coating materials are not likely to contain such quantities of solids, the particulate transfer efficiency will reduce potential particulate emissions, and six of the nine spray booths are equipped with baffles for further particulate control. The company will calculate particulate matter emissions using a mass balance for each material sprayed, accounting for solids content of the material, particulate transfer efficiency, and an estimated 30% control from baffles. The company will be required to base emission calculations on monthly usage divided by hours of operation for each month, divided by the number of spray booths. This will result in an average hourly particulate matter emission rate for each existing spray booth. This figure will be compared to the result of the formula above to show compliance. The company will be required to track process weight rates in order to show compliance with the formula-based standard.

Compliance with the opacity requirement is expected. Particulate emissions from most spray booths are controlled through the use of baffles. The permit contains a requirement to perform weekly visible emission observations on the spray booth exhausts. If visible emissions are present at a level above 10% opacity, a six-minute visible emission evaluation (VEE) must be performed according to 40 CFR 60, Appendix A, Method 9. If during the six minutes, the average opacity exceeds 20%, the company must then take corrective action. If corrective action fails to produce opacity less than 20%, an 18-minute VEE using 40 CFR 60, Method 9 is required to determine compliance. Instances of excess emissions will be recorded and reported. The observer must be Method 9 certified. This will satisfy the periodic monitoring requirement for the visible emission limitation included in the permit.

## **Recordkeeping**

The Wood Furniture MACT contains requirements for recordkeeping, including maintaining certified product data sheets for each material used and all calculations used to demonstrate continuous compliance. The permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include results of visible emissions checks and emission calculations.

## **Testing**

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA has authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

## **Reporting**

The Wood Furniture MACT requires that a source reports compliance status annually, as well as demonstrates continuous compliance semi-annually. These requirements have been included in the permit. However, the company received EPA approval to discontinue MACT JJ reporting requirements until coating operations are resumed.

## **Streamlined Requirements**

The company did not propose any specific streamlining regarding the finishing operations.

The initial notification requirements associated with the Wood Furniture MACT have not been included in the permit because the source has already completed the notifications.

The company has opted not to use a control device to meet the MACT requirements. Therefore, all requirements regarding a control device have been excluded from the permit.

## **EMISSION UNIT APPLICABLE REQUIREMENTS – Wood Drying Operations (ES-4)**

### **Limitations**

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-60-100– National Emissions Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products (40 CFR 63, Subpart DDDD ) applies to lumber dry kilns at major sources of HAP emissions. However, only initial notification requirements apply.

## **Monitoring**

The monitoring and recordkeeping requirements of 9 VAC 5-Chapter 40 have been modified to meet Part 70 requirements.

This operation is not a source of visible emissions and is therefore not subject to opacity requirements on stack exhausts. Since no particulate emissions are expected from this operation, no opacity observations are required to show compliance.

Monthly and annual lumber throughput must be monitored. VOC emissions will be calculated using approved emission factors (below) for hardwood and softwood.

VOC (hardwood) = 0.34 lb/1000 Bd-ft

VOC (softwood) = 3.4 lb/1000 Bd-ft

### **Recordkeeping**

The permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include monthly and annual lumber throughput, VOC emissions, and the ratio of hardwood to softwood.

### **Testing**

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA has authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

### **Reporting**

There are no specific reporting requirements for the woodworking operations.

### **Streamlined Requirements**

The company did not propose any specific streamlining regarding this operation.

## **EMISSION UNIT APPLICABLE REQUIREMENTS – Woodworking Operations (ES-5)**

The company reports the removal of a router (R-1) from the woodworking activities.

### **Limitations**

The following Virginia Administrative Codes that have specific emission requirements have been determined to be applicable:

9 VAC 5-40-2270, Standard for Particulate Matter - Requires the source to collect particulate matter emissions from woodworking equipment, and requires particulate matter emissions to meet a concentration of 0.05 gr/dscf of exhaust gas.

9 VAC 5-40-2280, Standard for Visible Emissions – Visible emissions must meet a 20% opacity requirement, except for one 6-minute period not to exceed 60% opacity.

9 VAC 5-40-2290, Standard for Fugitive Dust/Emissions – The source must use reasonable precautions to prevent fugitive dust, including covering conveying equipment.

### **Monitoring**

The monitoring and recordkeeping requirements 9 VAC 5 Chapter 40 have been modified to meet Part 70 requirements.

The woodworking equipment in operation is required to meet a particulate emission limitation of 0.05 gr/dscf of exhaust gas. As long as the PM emissions are vented through a properly operating control device, the standard is readily attained. PM emissions are vented through baghouses that are reportedly capable of achieving 99.9% control. Therefore, as long as the control devices are properly maintained and operated, there is little likelihood of violating the 0.05 gr/dscf standard.

The permit contains a requirement to perform weekly visible emission observations on each baghouse exhaust. If visible emissions are present at a level above 10% opacity, a six-minute visible emission evaluation (VEE) must be performed according to 40 CFR 60, Appendix A, Method 9. If during the six minutes, the average opacity exceeds 20%, the company must then take corrective action. If corrective action fails to produce opacity less than 20%, an 18-minute VEE using 40 CFR 60, Method 9 is required to determine compliance. Instances of excess emissions will be recorded and reported. The observer must be Method 9 certified.

Compliance with the opacity standard will indicate that the control equipment is operating properly and will show compliance with the PM standard.

The weekly visible emission evaluations (VEEs) will also satisfy the periodic monitoring requirement for the visible emission limitation. Frequent checks for visible emissions will limit malfunctions of the control equipment. As long as the control equipment is operating properly, there is little likelihood of violating the visible emission limitation.

The weekly visible emission evaluations (VEEs) also satisfy the periodic monitoring requirements for the individual woodworking equipment units.

### **Compliance Assurance Monitoring (CAM)**

The company submitted a CAM plan for evaluating the baghouses controlling the woodworking emissions. In addition to the abovementioned periodic monitoring requirements, the company will be required to conduct weekly external baghouse inspections, annual internal baghouse inspections, and weekly pressure drop checks. An excursion occurs when the opacity exceeds 20%. Excursions will be identified in the semi-annual monitoring report. These measures will satisfy the compliance assurance monitoring requirements for the baghouses and cyclone.

## **Recordkeeping**

The permit includes requirements for maintaining records of all monitoring and testing required by the permit. These records include annual wood processing rates and the results of the weekly baghouse evaluations.

## **Testing**

The permit does not require source tests. A table of test methods has been included in the permit if testing is performed. The Department and EPA have authority to require testing not included in this permit if necessary to determine compliance with an emission limit or standard.

## **Reporting**

Monitoring excursions as described above will be included in the semi-annual monitoring report required in the General Conditions of this permit.

## **Streamlined Requirements**

The company did not propose any specific streamlining regarding this operation.

## **GENERAL CONDITIONS**

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all federal operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

## **Comments on General Conditions**

### **B. Permit Expiration**

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by §2.1-20.01:2 and §10.1-1185 of the *Code of Virginia*, and the "Department of Environmental Quality Agency Policy Statement NO. 3-2001".

This general condition cites the sections that follow:

9 VAC 5-80-80. Application

9 VAC 5-80-140. Permit Shield

9 VAC 5-80-150. Action on Permit Applications

## **F. Failure/Malfunction Reporting**

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

This general condition cites the sections that follow:

- 9 VAC 5-40-41. Emissions Monitoring Procedures for Existing Sources
- 9 VAC 5-40-50. Notification, Records and Reporting

## **J. Permit Modification**

This general condition cites the sections that follow:

- 9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources
- 9 VAC 5-80-190. Changes to Permits.
- 9 VAC 5-80-260. Enforcement.
- 9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources
- 9 VAC 5-80-1790. Applicability, Permits For Major Stationary Sources and Modifications Located in Prevention of Significant Deterioration Areas
- 9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications Locating in Nonattainment Areas

## **U. Malfunction as an Affirmative Defense**

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

This general condition cites the sections that follow:

- 9 VAC 5-20-180. Facility and Control Equipment Maintenance or Malfunction
- 9 VAC 5-80-110. Permit Content

## **Y. Asbestos Requirements**

The Virginia Department of Labor and Industry under Section 40.1-51.20 of the Code of Virginia also holds authority to enforce 40 CFR 61 Subpart M, National Emission Standards for Asbestos.

This general condition contains a citation from the Code of Federal Regulations that follow:

40 CFR 61.145, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to demolition and renovation.

40 CFR 61.148, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to insulating materials.

40 CFR 61.150, NESHAP Subpart M. National Emissions Standards for Asbestos as it applies to waste disposal.

### **STATE ONLY APPLICABLE REQUIREMENTS**

The following Virginia Administrative Codes have specific requirements only enforceable by the State and have been identified as applicable by the applicant:

9 VAC 5 Chapter 40, Part II, Article 2 – Emission Standards for Odor – states that the company may not discharge emissions causing objectionable odor. This requirement is not included in the State Implementation Plan and is considered state-only enforceable.

### **FUTURE APPLICABLE REQUIREMENTS**

The company did not identify any future applicable requirements in the application. Therefore, no future applicable requirements have been included in the permit.

### **INAPPLICABLE REQUIREMENTS**

The company did not identify inapplicable requirements.

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A 3 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

NSPS Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units, 40 CFR 60.40c - 48c, does not apply to the two boilers at the facility since they were installed prior to 1989.

NSPS Subpart Kb – Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984, 40 CFR 60.110b – 117b, does not apply to two 4000-gallon storage tanks at the plant. These units are well below the 75 m<sup>3</sup> (19,813 gallons) capacity threshold for applicability of this rule.

9 VAC 5 Chapter 60, Part II, Article 4 – Emission Standards for Toxic Pollutants from Existing Sources – contains an exclusion in 9 VAC 5-60-200 C.4 for stationary sources in source categories regulated by requirements established under §112 of the Clean Air Act. Because units at the facility are included in source categories subject to MACT standards, state toxics requirements do not apply.

40 CFR 63, Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters, applied to both units. The only requirements were for initial notification, and this requirement was fulfilled. The regulation was subsequently vacated by court order. At the present time, no applicable requirements have been identified through §112(j) of the Clean Air Act.

## INSIGNIFICANT EMISSION UNITS

The insignificant emission units are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Insignificant emission units include the following:

Emission Unit No.	Emission Unit Description	Citation <sup>1</sup> (9 VAC_)	Pollutant Emitted (5-80-720 B.)	Rated Capacity ( 5-80-720 C.)
BST-1	Sealer Bulk Storage Tank	9 VAC 5-80-720 B	VOC	----
BST-2	Lacquer Bulk Storage Tank	9 VAC 5-80-720 B	VOC	----

<sup>1</sup>The citation criteria for insignificant activities are as follows:

9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application

9 VAC 5-80-720 B - Insignificant due to emission levels

9 VAC 5-80-720 C - Insignificant due to size or production rate

## **CONFIDENTIAL INFORMATION**

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

## **PUBLIC PARTICIPATION**

Minor modifications to Title V permits are not subject to the public participation requirements of 9 VAC 5-80-270. EPA and the air quality agencies of the affected states (Kentucky, Tennessee, West Virginia, and North Carolina) were notified of the permit application. Copies of the permit request were forwarded to EPA, Region 3. No newspaper advertisement or other forms of notification are required.

No comments were received from EPA or affected states.